DOCUMENT RESUME

ED 311 312 CG 021 925

TITLE	You Have the Right If You Know It: A Rights and Responsibilities Handbook for Virginia Teenagers.
INSTITUTION	Virginia State Dept. for Children, Richmond.
SPONS AGENCY	Virginia State Dept. of Welfare, Richmond.
PUB DATE	87
NOTE	111p.
PUB TYPE	Guides - General (050)
EDRS PRICE	MF01/PC05 Plus Postage.
DESCRIPTORS	*Adolescents; Corporal Punishment; Drug Abuse; Employment; Higher Education; *Legal Responsibility; Secondary Education; Sexuality; *Student Responsibility; *Student Rights; *Student School Relationship; Youth Problems
IDENTIFIERS	*Virginia

ABSTRACT

Two hundred and sixty questions and answers on the rights and responsibilities of Virginia youth are presented in this document. Questions and answers are presented in these 12 categories: transportation; juvenile justice; drugs; education; employment; financial responsibility; sexual conduct; health; parental responsibilities; family planning; legal change; and miscellaneous. In the category of education these questions are presented: (1) legal obligation to attend school and exceptions to this law; (2) availability of homebound education; (3) legality of corporal punishment in schools; (4) responsibility of students to pay for damage to school property; (5) legality of student appearance rules; (6) right of students to assemble, to petition, and to express opinions; (7) students' rights concerning search and seizure; (8) rights of students to access their records; (9) students' rights regarding expulsion and suspension; and (10) post-high school educational opportunities. The section on drugs defines five classes of drugs, explains the physical and psychological effects of using them and identifies whether or not they are addictive. The section on sexual conduct provides a brief description of some of the laws and court procedures about sexual conduct. The section on family planning answers questions about marriage, birth control, foster care, and adoption. (ABL)

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YOU HAVE THE RIGHT IF YOU KNOW IT

A Rights and Responsibilities Handbook for Virginia Teenagers

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This handbook was originally prepared by the Youth Involvement Committee of the Virginia Commission for Children and Youth in 1976. It was the goal of the Committee to keep young Virginians informed of their rights and responsibilities. The members of the Committee were:

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This project was initially funded under a Title XX contract with the Virginia Department of Welfare. Subsequent funding was secured from the Education Commission of the States and the Division of Justice and Crime Prevention through funds from the Juvenile Justice and Delinquency Prevention Act. Since 1978, the Virginia Department for Children has funded this publication through General Fund Appropriations.

The Virginia Department for Children wishes to express sincere appreciation for the assistance provided by the following people in the preparation of this edition:

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The Virginia Department for Children extends special appreciation to Carla Clayton, Sheila Cunneen, Gerardine Luongo and Wenda Singer for their contributions to the development of this publication.

VIRGINIA DEPARTMENT FOR CHILDREN

The Virginia Department for Children was created to promote the planning and coordination of all State services to children so that the children of the Commonwealth may develop their physical, mental and social capabilities to the fullest potential. As an advocate for children and youth, the Department seeks to enhance the family in its role as a primary and fundamental influence on child development.

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Note: This handbook contains general information that is current as of December, 1986. If you have specific questions about your situation, consult an attorney before taking any action.

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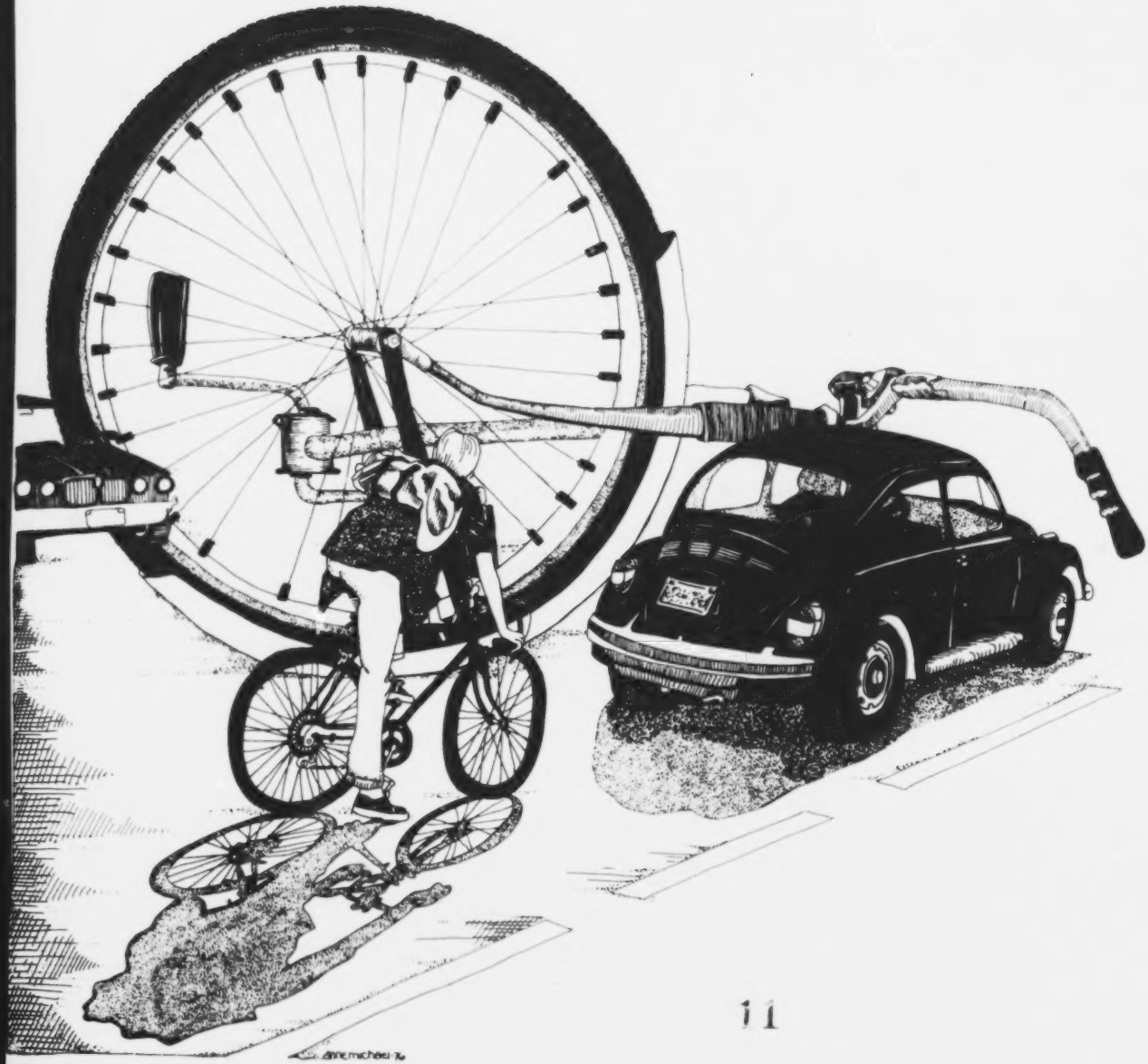
INTRODUCTION

This is the fourth update of the Rights and Responsibilities Handbook which was originally published in 1976 by the Youth Involvement Committee of the Virginia Commission for Children and Youth. The original handbook was the Commission's effort to respond to youth's interest in information about laws and issues which affect them.

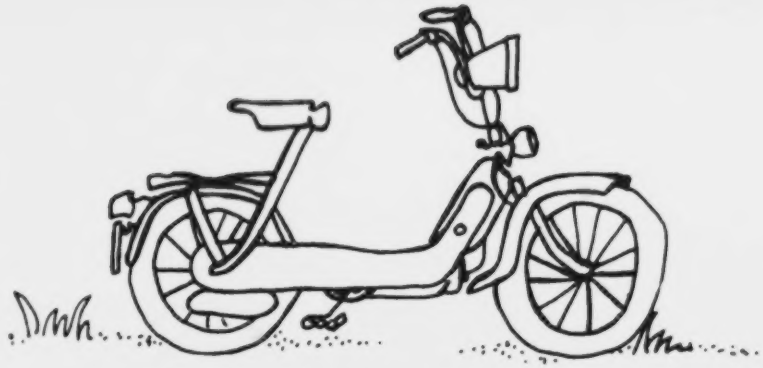
Since the response to the 1976 Handbook was favorable, the Division for Children* (established in 1978) continued publication of this document as an agency project. Updated editions were issued in 1980, 1981, and 1982.

The Department for Children is pleased to provide a 1987 edition which we hope you will find useful.

*Department for Children



Today, many young Virginians have their own transportation—a moped, a bicycle, a motorcycle or a car. This chapter will attempt to answer some of the more frequently asked questions about your means of transportation.



1 Is A Driver Education Course Required Before You Can Get A Driver's License? Yes. Any person under the age of 18 must have completed a state-approved Driver Education Course, including both in-car instruction and classroom time, to be eligible for a Virginia driver's license. The classroom instruction must include an alcohol safety education component. When applying for a license, a teen must submit a Driver Education Certificate (DEC-1) as evidence of successful completion of the program.

A youth who is 16 may obtain a driver's license if the parent or legal guardian's signature is on the application and the teen has passed a driver education course with the alcohol education component.

If a teen has been found not innocent of any offense in juvenile court, the juvenile court where the teen lives must approve the issuance of a driver's license to that person.

2 Does A Parent Have To Sign For a Driver's License? Virginia law requires that a parent or guardian sign the application of any teen who is under 18.

3 Driver's Licenses Are Frequently Used For Purposes Of Identification. Is Any Other Type Of Identification Available To People Of Driving Age Who Do Not Have A Driver's License? Yes. The Department of Motor Vehicles issues photo identification cards to non-driving citizens for a $5.00 fee. A birth certificate or other documents of identification must be shown in order to obtain the card which is valid for five years.

4 Can A Parent Or Guardian Request The Cancellation Of A Minor's Driver's License? Yes. If a parent or guardian files a written request for cancellation with the Department of Motor Vehicles, the minor's license will be cancelled for a period of 6 months.

5 Is It Illegal To Drive While Intoxicated Or Under The Influence Of Drugs? Yes (See #70).

6 What Is The Penalty For Driving Under The Influence Of Alcohol? The penalty varies according to the locality. A first conviction may lead to a 6-month loss of driver's license, a fine and/or referral to the Virginia Safety Action Program (VASAP). Upon referral to VASAP, the driver may receive a restricted license option which can include driving to and from work, to and from VASAP (or treatment/counseling) and/or during work if necessary.

7 At What Age Can A Minor Qualify For Automobile Insurance? Anyone who has a driver's license is eligible for automobile insurance in Virginia.

8 Can A Minor Purchase A Car? Yes. There is no minimum age to title or register a car, truck, motorcycle or bicycle in Virginia. However, if a teen needs a bank loan to purchase the car, an adult must co-sign (be responsible for) the loan.

9 Must You Have A Special Driver's License To Operate A Motorcycle In Virginia? Yes. A driver's license with a Class C endorsement is required to operate a motorcycle in Virginia.

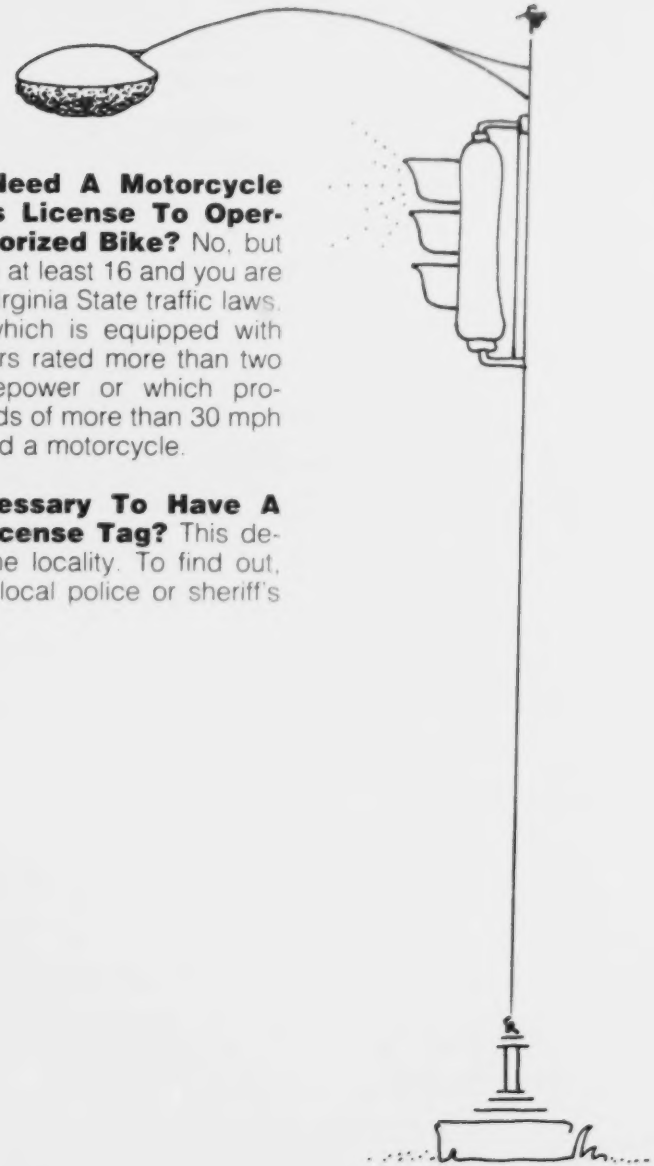
10 **What Is A Class C Endorsement And How Is It Obtained?** A Class C endorsement is permission to operate a motorcycle. The person who wishes to operate a motorcycle must apply at the local Department of Motor Vehicles for a Class C endorsement. The applicant must take a vision and a written test and provide a motorcycle for the skills test. The Virginia Driver's Manual lists the special rules for motorcycle operation. There is an extra charge for a driver's license with a Class C endorsement.

11 **Can Minibikes Be Operated On Roads And Highways?** Yes, but Virginia law requires that minibikes be registered if they are to be operated on the public roads and highways.

12 **Do Motorized Bicycles Have To Be Registered?** No. Virginia does not require registration of motorized bicycles of one horsepower or less which cannot exceed 20 miles per hour.

13 **Do You Need A Motorcycle Operator's License To Operate A Motorized Bike?** No, but you must be at least 16 and you are subject to Virginia State traffic laws. A moped which is equipped with helper motors rated more than two brake horsepower or which produces speeds of more than 30 mph is considered a motorcycle.

14 **Is It Necessary To Have A Bicycle License Tag?** This depends on the locality. To find out, contact the local police or sheriff's office.



SHOPLIFTING

A separate court and system of rehabilitation is operated for juveniles called the juvenile court system. This is different from the adult court system because of the way in which children and youth are handled. The adult is usually held fully responsible for his behavior despite his circumstances. In juvenile court the judge considers the individual and his or her circumstances as well as any unlawful act he or she is accused of committing. Also, the juvenile court system handles cases of abuse or neglect, custody, foster care, cases in which a youth has not committed an unlawful act but is behaving in a manner which may be harmful to himself/herself *and* cases in which an adult is accused of committing a crime against a juvenile. This section will answer questions related to situations in which a youth is accused of a delinquent act (an act which would be a crime if committed by an adult), a traffic violation or is considered to be in need of services.

15 **Who Is A Juvenile?** A juvenile is any person under age 18.

16 **What Is Juvenile Court?** The official name of the juvenile court in Virginia is the Juvenile and Domestic Relations District Court. The primary function of this court is crime prevention and juvenile rehabilitation.

not innocent

17 **What Is A "Child In Need Of Services" (CHINS)?** Two circumstances must exist before a child is classified as "in need of services". First, a juvenile can be brought to court for behavior which is not considered to be an offense when committed by an adult, but may be harmful to the youth. Examples of such offenses are habitually skipping school, habitually disobeying the "reasonable and lawful" orders of parents and running away from home. Secondly, it must be determined that this behavior presents a clear and substantial danger to the child's life or health, or that the child or child's family is in need of treatment, rehabilitation, or services not being presently received and the court's intervention is essential to the services needed. At that point the child is considered "in need of services".

18 **Can A Juvenile In Need Of Services Also Be Taken Into Custody?** Yes, if the juvenile's life or health is endangered or to ensure the juvenile's appearance in court. Following the initial hearing, a juvenile in need of services may not be held in a facility unless it is nonsecure, which means it is physically unrestrictive. A child in need of services may be confined for no more than 72 hours.

19 **How Is A Juvenile Brought To Court?** A complaint against the individual is the first step in court action. This complaint (called a petition after written in legal form) can be made by many persons throughout the community, including parents, school officials, neighbors, police or others, if they believe the juvenile is in need of services or has committed a delinquent act. These people have a right to choose whether or not to make a complaint; even police officers may choose to handle a case informally without filing a complaint. Once the complaint is made, an intake or probation officer attached to the court is assigned to look into the case.

20 **What Happens Once The Intake Officer Has Investigated The Complaint?** After investigating the complaint, the intake officer can also choose whether or not to bring formal charges. If the intake officer decides not to continue the case, he or she can make an informal agreement on disposition (what will happen) with the juvenile. Informal handling like this usually occurs in cases where the reported misconduct probably did not happen or is not serious enough for formal court action. However, if the charge is thought to be serious, there have been repeated complaints, or if the person making the complaint insists, a formal petition will be filed against the juvenile and formal court proceedings will begin.

21 **Can Anyone Attend A Juvenile Court Hearing?** No. The general public is usually not allowed to attend juvenile court hearings, although when the juvenile is being tried for a criminal offense, he or she must be given a public hearing (trial) unless he expressly waives his right. The public is not usually allowed to see or read the records of the juvenile courts. These records are kept confidential so that the juvenile will not be damaged by having his court involvement known by the general public—unless a criminal offense was committed and a judge decides the public should be informed.

22 **Can A Juvenile Be Arrested?** Yes. It is called "being held" or "being taken into immediate custody". The juvenile may be taken into custody either before or after a complaint has been filed. If before, the police can take a youth into custody according to the following standards, which are similar to those used for adults:

- —if a crime is committed in a police officer's presence
- —if the police officer has a "probable cause" to believe a felony* has been committed by the juvenile
- —the juvenile has run away from home or is without adult supervision under circumstances that present a "clear and present danger" to the child's welfare
- —if the court issues a detention order or
- —if a juvenile is in need of services, he/she can be taken into custody if his/her life or health is in danger or to ensure his/her appearance in court

*(A felony is an offense serious enough to warrant confinement in the penitentiary or death).

23 **Can A Juvenile Be Released On Bail After A Petition Has Been Made?** Juveniles have the same right to be released on bail as adults do. However, bail is seldom used for juveniles. A judge may release the youth to the custody of the parents or guardians or the judge may decide to hold the youth in custody in a detention home.

24 **When Is A Juvenile Held In A Detention Home?** A juvenile can be held in a detention home when:

- —the juvenile has no parent, guardian or other person able to provide supervision
- —the release of the juvenile would be an unreasonable danger to other people or property
- —the release of the juvenile would be a clear and substantial threat of serious harm to his/her life or health

25 **How Long Can A Juvenile Be Held In A Detention Home Before Appearing In Court?** The juvenile must be brought before a judge or other court official on the next day the court is in session. If the court is not in session the next day, a hearing must be held within 72 hours.

26 **When Is A Juvenile Held In A Secure Facility (Jail)?** A juvenile may be held in a secure facility only when one of the following conditions is met:

- —when a case is transferred to the circuit court
- —when a judge determines, based on the judgement of the custodian, that the security or safety of other children is threatened by the presence of a juvenile who must be 15 years or older
- —when the alleged offense by a juvenile, 15 years or older, would be a felony or Class 1 misdemeanor and the judge or intake officer determines that secure detention is needed for the safety of the juvenile or community

In each case, there must be a separate room or ward for the juvenile, adequate supervision and the facility must be approved for the detention of children.

27 **Will The Juvenile Have A Trial?** Just as the guilt or innocence of an adult is determined at a trial, a juvenile is also given a trial which is called an "adjudicatory hearing" (or "trial on the merits"). All juveniles accused of delinquency are, like accused adults, presumed innocent until found guilty (delinquent) at a trial (hearing). Before the adjudicatory hearing, the juvenile

must be given a written statement of exactly what the charges are against him or her and be made aware of his/her right not to testify or present evidence against himself or herself at the adjudicatory hearing.

28 **Can A Juvenile Be Represented By A Lawyer?** Yes. Juveniles have a constitutional right to have a lawyer help them prepare their cases and represent them in court. If a youth cannot afford a lawyer, the court must provide one for him/her before the adjudicatory hearing. Time is given for the lawyer to consult with his client and investigate the case.

29 **Can Juveniles Call Witnesses To Testify In Their Behalf?** Yes. It is the right of juveniles, as well as adults, to call witnesses to testify on their behalf and to question all witnesses testifying against them. Also, all charges must be proven beyond a reasonable doubt.

30 **Can A Juvenile Have A Jury Hearing?** The right to a jury trial is the only major adult protection not provided for juveniles. The Virginia Juvenile Code does not provide for jury trials in juvenile hearings and the United States Supreme Court has said there is no right to a jury trial in a juvenile court. The case of a juvenile charged with a felony may be transferred to the circuit court against the juvenile's will. This will happen if the juvenile court judge, after holding a transfer hearing, decides that (1) the juvenile was over 15 when the offense was allegedly committed, (2) there is "probable cause"—enough indication—to suspect that the juvenile committed a felony, and (3) that the child cannot be rehabilitated by the measures available to the juvenile court. If the case is transferred to the circuit court, the juvenile will be tried as an adult. When sentenced by a circuit court, a juvenile's case may be disposed of as a child's or adult's, at the discretion of the judge.

31 **What Happens When A Juvenile Is Found Delinquent (Guilty) In Juvenile Court?** If, at the adjudicatory hearing, the judge finds that the juvenile did commit a delinquent act, he will consider the youth's "social history" before he makes disposition (decides a sentence) for the juvenile. A social history is an investigation by court personnel of the juvenile's background, including any earlier offenses. To avoid prejudice, the judge should not read this written report before hearing the evidence about the present offense, as its purpose is to help him make disposition (sentence) and not determine the innocence or guilt of the juvenile. The adjudication and disposition can take place the same day. Sometimes there is a period of several weeks between adjudication and disposition if an investigation is not already made.

32 **What Are Possible Dispositions?** The juvenile judge has a wide range of dispositions from which to choose for a particular individual. For those juveniles found to be in need of services (see question 17), one of the following orders will be made:

- —The juvenile may be permitted to remain with the parents or guardians (or persons standing in their place) and perhaps be required to participate in a program or treatment
- —The juvenile may be placed on probation
- —The juvenile, if at least 14, may be released from school attendance
- —Custody of the juvenile may be transferred
- —The juvenile may be required to participate in a public service project

For those juveniles found to be delinquent, the court will make one of the following orders:

- —The juvenile may be permitted to remain with the parents or guardians, or persons standing in their place, and perhaps be required to participate in a program or treatment
- —The disposition may be deferred for a period of time
- —The juvenile may be placed on probation
- —A fine may be imposed upon the juvenile
- —The motor vehicle and operator's license of a juvenile may be suspended
- —The juvenile may be committed to the Department of Corrections (only if at least 11 years old or older)

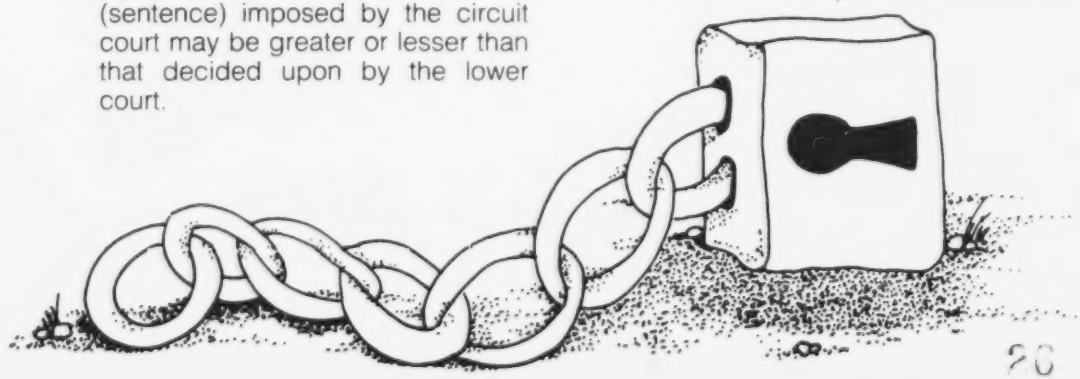
33 **What Types Of Crimes Are There?** Crimes by adults are divided into two types: misdemeanors and felonies. A misdemeanor is the less serious type of offense; punishments can range from a verbal reprimand to fines and/or jail terms of no more than one year. A felony is the more serious type of crime; punishments range up to life imprisonment and execution. If a juvenile commits a delinquent act which would be considered a felony if committed by an adult, the juvenile court is much more likely to give a harsh disposition such as commitment to the Department of Corrections or a jail sentence. However, after adjudication in juvenile court a judge cannot decide to transfer the youth to adult court for trial because juveniles have a constitutional right not to be tried twice for the same offense ("double jeopardy").

34 **Can A Juvenile Found Delinquent Be Placed On Probation?** Yes. The judge may defer disposition of a delinquency charge for as long as 12 months and place the juvenile under probation, prescribing limitations and conditions.

35 **Can A Juvenile Appeal The Court's Findings?** Yes. The juvenile may appeal the court's findings and disposition to circuit court. Upon request, the juvenile may be granted a jury trial at this time. The sanction (sentence) imposed by the circuit court may be greater or lesser than that decided upon by the lower court.

36 **Can Conversations With A School Psychologist Be Used Against A Juvenile In Civil Proceedings?** Without the patient's consent, no school psychologist, or anyone else performing in a counselor role, may be required to disclose confidential information, except when the patient's mental condition is at issue or when the court determines such a disclosure is necessary for the proper administration of justice.

37 **How Long Will The Court Records Of A Juvenile Found "Delinquent" Be Kept?** Court records of juveniles found delinquent are destroyed when the juvenile reaches 19 years of age unless the juvenile has committed a delinquent act within the previous five years. In that situation, the records are kept for five years after the most recent delinquent act.



This section defines the five classes of drugs, explains the physical and psychological effects of using them and identifies whether or not they are addictive. The dangers of certain drugs are also discussed.

38 **What Is A Drug?** A drug is any substance that in small amounts produces significant changes in the body, mind or both.

39 **What Types Of Addictive Or Abusive Drugs Are There?** Drugs are classified into several major categories: narcotics, depressants, stimulants, hallucinogens and inhalants. These are called "controlled substances" because their use is regulated or prohibited by the Controlled Substance Act (federal law).

40 **What Is A Drug Addict?** When a person uses a drug regularly, has an overwhelming desire to continue using the drug and feels physically unable to live without it, he/she is a drug addict. When a person is psychologically dependent on a drug, he/she is not physically addicted, but has a need or desire to seek a repetition of the euphoria, or feeling of well-being, from use of the substance.

41 **What Is Withdrawal?** Withdrawal is the body's response to the absence of a drug. When a person is addicted to a drug and stops taking it, he/she will become physically ill. Withdrawal symptoms can include chills, shakes, sweating, cramps, diarrhea, nausea, vomiting, and even convulsions.

42 **Can The Effects Of An Addictive Drug Be Passed On To The User's Unborn Children?** Yes. Some babies born to addicted mothers show signs of withdrawal, which means that during pregnancy the baby has become addicted. Scientists are investigating many drugs and substances that are also possible causes of birth defects.

43 **What Are Narcotics?** Narcotics are drugs derived from the opium plant; the most well known is heroin. Narcotics are pain-reducing drugs that also reduce tension and anxiety. They also may cause drowsiness and, when taken in sufficient quantities, can result in coma or death.

44 **Are Narcotics Dangerous?** Terribly. Along with the effects mentioned above, chronic use will lead to malnutrition and infection. Any use can be dangerous, though. For example, the heroin user has no way of knowing the strength of the dose he is taking because he never knows how much pure heroin is contained in a dose, or bag. If the percentage is too high, the user can die.

45 **Are Narcotics Addictive?** Yes, physically and psychologically. When the narcotics user gets "hooked" (addicted), his body needs larger and larger doses to get the desired effect. Once addicted, a heroin addict's main objective in life is to get his next "fix", and thereby avoid withdrawal.

46 **What Are Depressants?** Depressants, like narcotics, are sedative drugs and are manufactured for medical purposes to relax the central nervous system. Barbiturates are the best known of these drugs.

47 **Are Barbiturates Dangerous?** Yes. Barbiturates, or "downers," are considered very dangerous when taken without medical advice or not in the prescribed dosage. An overdose can cause death.

48 **Are Barbiturates Addictive?** Yes. Some experts consider barbiturate addiction more difficult to cure than narcotic addiction.

49 **If A Heavy User Of Barbiturates Stops Using "Downers," Will He Suffer From Withdrawal?** Yes. The user will suffer symptoms of withdrawal such as cramps, nausea, delirium and convulsions. In some cases sudden death may occur. Therefore, barbiturate withdrawal should take place in a hospital, under the supervision of a doctor.

50 **What Are Stimulants?** Stimulants are drugs which stimulate the central nervous system. They are known for their ability to keep people awake and reduce appetite. Common legal stimulants are nicotine and caffeine. The most common illegal stimulants, or "uppers," are cocaine and amphetamines. "Snow" is a slang term for cocaine and both "freebasing cocaine" and "crack" are purified forms of the drug. These produce temporary feelings of alertness, self-confidence and well-being.

51 **Are Stimulants Dangerous?** Yes. Heavy doses can produce hallucinations, paranoia and seizures. Injection of methamphetamine (speed) into a vein can result in serious mental problems, serious effects on the heart or even death. Chronic stimulant users develop a variety of physical problems and brain damage can occur.

52 **Are Stimulants Addictive?** Stimulants do not technically produce physical addiction. However, the use of stimulants can result in psychological dependence. In fact, cocaine is often called the "Great Addictor". Its use leads to a "high", a let-down and then a desire for more. Cocaine appears to "re-wire" the personality so that every time cocaine is taken the user experiences a stronger compulsion to take it again. A user begins to need larger and larger amounts of cocaine to get "high", and sometimes just to carry out daily tasks.
A person using "crack" will have the same reaction as if using cocaine, except that it will be stronger and quicker.

53 **What Are Hallucinogens?** Hallucinogens are mind-altering drugs and are used legally for controlled research purposes. Hallucinogens produce physical and emotional changes in the user. Physically, one's sense of sight, hearing, taste, touch and smell become sharper and distorted. Emotionally, the individual may experience a sense of well-being or feel a sense of panic or paranoia. Some of the well-known hallucinogens are LSD, PCP, Mescaline (Peyote), and Psilocybin Mushrooms.

54 **Are Hallucinogens Dangerous?** Yes, extremely so. Reactions to hallucinogens range from worry, panic and deep depression to serious mental illness. Accidental death sometimes occurs when a person may feel invincible, or able to fly, and attempts something he/she would not normally try. Scientists have reported that LSD causes chromosomal damage and may cause abnormalities in the babies born to LSD users. Chronic use of hallucinogens can cause brain damage.

55 **Are Hallucinogens Addictive?** Depending on the person's experience during usage, hallucinogens can produce a psychological compulsion to use them again.

56 **What Is PCP?** Phencyclidine — commonly referred to as PCP, "angel dust, peace pill, superweed", etc. — is an animal anesthetic and tran-

quilizer. It was originally developed as an anesthetic for humans but was abandoned because of its erratic and unpleasant side effects. PCP can be taken orally or injected, but a widely-used method is to smoke cigarettes or marijuana sprayed with PCP.
The PCP user feels a sense of distance and removal from the immediate environment. Time and body movements are slowed down. Muscular coordination decreases and impulses are slowed. Speech is often blocked. Physical strength can be increased and the senses are numbed. Violent or anti-social behavior, harmful to the user or others, can result. There is a risk of accidents, suicide, over-dosing or other freak occurrences while under the influence. Chronic users may develop memory and speech problems, depression, anxiety and violent behavior. These side effects sometimes occur even after long periods of not using the drug.

57 **What Are Flashbacks?** A recurrence of side effects associated with LSD or other hallucinogens some time after the actual drug experience. Days, weeks or even months after an individual uses LSD, the things he saw and felt while on the drug may recur and make him fear he is going insane. The flashback can be brought about by physical or psychological stress, by medications such as antihistamines, or by marijuana.

58 **What Are Inhalants?** Inhalants are volatile substances inhaled for their intoxicating effects. Most of these easily evaporating substances were never intended to be used as drugs. Inhalants include paint thinner, glue, nail polish remover, nitrous oxide and volatile nitrates. These substances produce a short "high", a dreamlike state, drunkenness, hallucinations, delusions or stupor.

59 **Are Inhalants Dangerous?** Yes. Fumes can cause temporary blindness, damage to lungs, brain, and the liver, and even death.

60 **What Is Marijuana?** Marijuana is a drug found in the plant Cannibis sativa. The effects vary so widely that it can be either a stimulant or a depressant. Because it may cause hallucinations when taken in very large doses, it is also considered a mild hallucinogen. The effects of marijuana vary greatly from person to person. The can include excitement, depression or no mood change at all.

61 **Is Marijuana Dangerous?** While some of the effects of smoking marijuana are still being studied, there has been agreement in recent years about most of the dangers of marijuana. Immediate negative effects are the impairment of short-term memory, concentration and coordination; a reduction of driving skills; decreased performance in sports; the possibility of acute panic anxiety reaction (the fear of losing control) and the bringing to the surface of emotional problems.
Long term effects are more critical. Regular marijuana use interferes with learning skills and decreases overall motivation. Chronic users can become dull, slow-witted, inattentive and unaware of people and surroundings. In fact, the term "burnout" originated with marijuana users themselves to describe this state.
Marijuana affects the hormone systems and reproductive cycles in both males and females. The effects are especially dangerous during the adolescent years, since the reproductive system is still developing.
Finally, marijuana contains many of the cancer-causing chemicals and lung irritants found in tobacco, plus

others unique to marijuana. Regular marijuana smokers increase their risk of developing lung cancer, emphysema, bronchitis and decrease their ability to fight off ordinary colds and infections. These effects are stronger when a person smokes both marijuana and cigarettes.

62 **Is Marijuana Addictive?** Marijuana has not been found to be physically addictive; however, regular users may become psychologically dependent. They may have a hard time limiting their use of marijuana and will eventually need to use more in order to get the same effect.

63 **What Are The Penalties For Possession Of Marijuana In Virginia?** A judge will determine the penalty for possession of marijuana by a juvenile on a case by case basis. See #31 of this Handbook for details.

64 **What Is Meant By The Term "Street Drugs"?** "Street Drugs" are drugs sold on the street by "pushers". They normally contain other substances used by drug dealers to "cut" the strength and increase the volume of the drug. Many of the substances are as dangerous as the drug they "cut". Often "street drugs" may turn out to be extremely different than what was expected at purchase and may cause serious problems for the user. Note that, although the information in this section is accurate for each substance mentioned, drugs when bought on the street may have other dangers.

65 **What Are Counterfeit Drugs?** Counterfeit or "designer drugs" are substances designed to look like controlled substances (narcotics, hallucinogens, stimulants, etc.) or marijuana. They are substances made by chemically modifying an illicit drug. This is done deliberately to circumvent the Controlled Substance Act, since the modified substance chemically would be a different drug and, therefore, not illegal. However, new laws have been recently passed to also make designer drugs illegal.

66 **Are Counterfeit Drugs Dangerous?** Yes. Because counterfeit drugs are not what they appear to be, the user has no idea what he or she is consuming. If negative side effects occur, medical treatment could be hindered because of the lack of knowledge about the ingredients of the "fix".

67 **Are Counterfeit Drugs Illegal?** Yes. Even though counterfeit drugs may not necessarily be controlled substances, it is illegal to make, distribute or possess them.

68 **What Is The Number One Drug Problem In The United States?** Alcoholism. There are between 8 and 16 million alcoholics in the United States. Alcohol is classified as a depressant. It is not known why some persons become alcoholics; but experts believe there are a combination of physical, social and psychological causes. The person who drinks to escape the problems and pressures of everyday life is more likely to become an alcoholic.

69 **Is Alcohol Addictive?** Yes. An alcoholic will have a more difficult withdrawal than a heroin addict. There are more people in the United States who are addicted to alcohol than to all other drugs put together.

70 **What Happens To A Minor Caught Purchasing Alcoholic Beverages?** It is against the law in Virginia for anyone under 21 to buy, possess or consume alcoholic beverages, except that those who turned 19 before July 1, 1985 may buy, possess and drink *beer*. Maximum penalty for this offense is a $1,000 fine and/or 12 months in jail for a first conviction and the youth's driver's license may also be suspended for up to one year. It is unlawful to use a false or altered driver's license to obtain alcoholic beverages. The maximum penalty for that offense is a $100 fine and the

revocation of the offender's driver's license for a period of between 30 days and 1 year.

71 **Where Can A Person Find Help For A Substance Abuse Problem?** A minor has the right to medical or health services needed for outpatient treatment or rehabilitation for substance abuse problems without consent from his/her parents or guardians. Local physicians, school counselors, clergy, clinics, youth centers and mental health centers would be helpful. A person may also look in the yellow pages of the phone book under "Alcoholism or Drug Abuse Treatment".

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44

Dress codes, students' rights, attendance, college and careers—maybe you have been wondering about these things. This chapter will attempt to offer some clear answers and some suggestions regarding these areas.

72 Does Virginia Require That Young People Attend School? Yes. According to the Virginia Compulsory School Attendance Law, if you are age 5 up to age 17, you must attend a private or public school or, under certain conditions, participate in home instruction.

73 Are There Exceptions To This Law? Yes. Students are excused from attending:

- —if their parents conscientiously object (this objection must be in writing)
- —if the parents desire and meet the qualifications for home instruction
- —if the school board determines *with parental permission* that the child is unable to benefit from education
- —if the court determines that the child is unable to benefit from education (with or without parental permission)
- —if the child is suffering from contagious or infectious diseases
- —if the the child has not been immunized against certain diseases

74 If A Student Is Temporarily Unable To Attend School Due To A Physical Problem, Can A Teacher Come To His Home? Yes. A request for homebound instruction and medical forms signed by the attending doctor should be sent to the administrator of special education. The student's parents should apply as soon as they become aware of the need.

75 In Virginia, May A School Teacher Use Corporal (Physical) Punishment On A Student? Yes. Virginia law permits reasonable corporal punishment to be administered under certain circumstances.

76 Must Students Pay For School Property They Damage? If a student willfully destroys school property, his/her parents can be held responsible for the damages.

77 Are There Any Rules About The Personal Appearance Of A Student? The local school board has the right to set policy regarding dress codes.

78 Do Students Have The Right To Assemble, To Petition And To Express Their Opinions? Yes. Peaceful assemblies may be conducted when they do not conflict with normal school functioning. Arrangements must be made with the school principal.

79 What Are A Student's Rights Concerning Student Property Search And Seizure? Generally an official of the school system can search a student's locker if there are reasonable grounds for believing that the locker contains something that is either against school rules or is harmful to the school or to the student.

80 What Rights Do Students Have Regarding Their Education Records? Parents of students under age 18, or students age 18 and older, have the following rights:

- —The right to inspect, review and copy the educational records kept by the school system on that student
- —The right to challenge or request the removal or re-wording of information felt to be inaccurate, misleading or inappropriate
- —The right to give permission before records may be disclosed to any party other than those listed in the publication, *Management of the Student's Record in the Public Schools of Virginia (Revised 1986)*
- —The right to receive a list of those individuals who have been permitted by school officials to see a student's records

—The right to be notified every time a student's records are turned over to a court by judicial order or subpoena
—The right to be informed by school officials of these rights

81 **Do These Rights Apply In All School Situations?** No. These rights do not apply to records kept by school staff that are not available to other people.

82 **If The Student And/Or His/Her Parents Want To Review His Records, How Is This Done?** A written request must be made to the school principal. The records must be made available within 14 days after the date of request.

83 **If The Parent Is Unhappy With The Contents Of The Records, How Can Changes Be Made?** A hearing must be conducted. The hearing may be conducted by the school board or school superintendent. There must be an opportunity for the parent or student to present evidence. A written decision must be given within a reasonable time. If the decision is made *not* to amend the record as requested by the parent, the parent has the right to place in the record a statement explaining the reasons for the disagreement. This statement must be maintained as part of the record and is thus subject to all provisions relative to disclosure.

84 **What Are The Student's Rights If He/She Is Being Expelled Or Suspended?** Suspension or expulsion cannot be given for breaking minor rules. However, if the offense is serious, the student must know exactly what he/she is being accused of, what school rule is involved and what evidence the authorities have for their accusation before being expelled.

85 **Do Students Have The Right To A Hearing Every Time A Teacher Or Principal Wants To Discipline Them?** No. For disciplinary actions such as a suspension of less than 10 days, the student is entitled to at least oral or written notice of the charges against him/her and, if he/she denies these charges, an explanation of the evidence against him/her. An opportunity to tell his/her side of the story must be provided. If denied, the school officials must explain their evidence and give the student a chance to provide his/her own explanation.

86 **Who Has The Power To Suspend A Student?** The principal or his representative, the superintendent and the school board can suspend students.

87 **When Should A Suspension Hearing Take Place?** For a suspension of more than 10 days, notice of the charges, explanations of the evidence against the student and a chance to explain his/her position must be given before he/she can be suspended. At that time the student is informed of the right to a hearing before the school board. The only exception applies to students whose presence in school may be dangerous or cause a disturbance to normal school activities. In such cases, the necessary notices and hearing should follow as soon as practical.

88 **Can A Student Be Punished For Violating A Rule He/She Did Not Know Existed?** It usually depends on whether the student should have known of the rule's existence.

89 **Who Has The Power To Expel A Student?** Only the local school board can expel a student. The same right to a hearing applies for expulsion as to suspension.

COLLEGE??

90 **What Steps Should Be Taken By A Student Who Plans To Attend College?** Students who want to attend college should start planning early (middle school). A good first step is to talk with the guidance counselor. The counselor will be able to provide information on the most suitable colleges. The next step is to write to those colleges for a college catalogue and an admissions application. The catalogue will provide detailed information on the college's policies, curriculum, admission requirements, availability of financial aid, etc. The student should select one or two colleges that seem most suitable and then submit applications to them. Colleges and universities usually charge a fee to process an application.

91 **If A Student Does Not Want To Attend College, What Other Types Of Opportunities Are Available?** There is a variety of vocational training programs available. The guidance office and the yellow pages of the telephone book can provide some information on possibilities. The armed services are also an option for men and women. It is important to remember that a student can postpone further education until a later date. There are a few jobs which do not require training beyond high school. Discussing future plans with the school counselor and parents, well before graduation, can be very helpful to the student.

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There are several advantages to having a job. First, there is the money that is earned. Another advantage is gaining work experience which can be used later as a reference. Before a teen gets a job, he should be aware of some regulations. These include the need for most people under 16 to obtain a work permit before starting on the job, and income tax and social security information. This section presents helpful information for teens who want to work.

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92 Does Anyone Under Sixteen Years Of Age Have To Have A Work Permit In Order To Get A Job? Yes. Every teen, married or not, between the ages of 14 and 16 must have an Employment Certificate (work permit) before he/she begins work unless: the work is on a farm, garden or orchard; consists of domestic duties in and around private homes; is performed on school playgrounds operated by the state, city, county or a corporation whose property is tax exempt; or is for one day or less in connection with studies in any public or accredited private school; or is performed for his/her parents in an occupation other than manufacturing, mining or anything declared hazardous by the federal Department of Labor and Industry. There is no regulation on the number of hours worked in the jobs listed above as long as the work is not performed during school hours.

93 How Can A Work Permit Be Obtained? Someone who is under 16 years of age will need to get three forms (white, pink, green) from the school's guidance office or from the person to whom the school superintendent has delegated the responsibility. The white one must be signed by the employer—it is an agreement that he will follow the laws regarding the employment of minors. The pink form must be signed by a parent or guardian in front of the Issuing Officer—it gives consent for the child to take a job. The green form must be signed by a physician and state that the applicant is physically fit to work. In order to have the green form signed, the teen must have had a physical exam within six months of the first job. A teen will need only one physical, no matter how many jobs he has before the age of 16. The Issuing Officer can verify a prior physical examination by contacting the Department of Labor and Industry. After age 16, a work permit is no longer needed.

The three forms, plus permissible proof of age, must be taken to the Issuing Officer to obtain a work permit. The parent or guardian must accompany the teen.

94 Who Is The Issuing Officer? The person who distributes the pink, white, and green forms can identify the Issuing Officer in the local community.

95 What Is "Permissible Proof Of Age"? Birth certificate or a copy of it issued by the Registrar of Vital Statistics

Driver's license or photo identification card

Insurance policy at least one year old

Passport

School records

96 Where Can You Obtain A Copy Of Your Birth Certificate? A copy of your birth certificate may be obtained from the State Registrar of Vital Records, Virginia Department of Health, 109 Governor Street, Richmond, Virginia 23219. When requesting a copy of a birth certificate, be sure to include the full name, both parents' names (including mother's maiden name), the date and city or county of birth. A person born in another state should write to the Bureau of Vital Statistics in the capital city of the state where he was born.

97 How Many Hours Can A Person Work? There are no restrictions on the number of hours someone 16 years of age or older can work. Teens under 16 cannot work during the hours school is in session unless the work is part of a certified work-school program.

Fourteen and fifteen-year-olds can work up to 8 hours a day and up to 40 hours per week. They must have a half-hour break after working five consecutive hours. They can work

between 7:00 a.m. and 7:00 p.m. on school days, or until 9:00 p.m. on nights *not* followed by a school day. Someone in a street trade (selling magazines) can go to work at 6:00 a.m. A newspaper carrier can go to work at 4:00 a.m. (These hours do not apply to young people working in occupations outlined in #92).

98 **How Can You Find Out If These Rules Apply To Your Job?** A person who is uncertain about whether these rules apply to a particular job can call or write the nearest Wage Hour Area Office (U.S. Department of Labor). This office should have copies of "Child Labor Requirements in Nonagricultural Occupations" to send to interested persons.

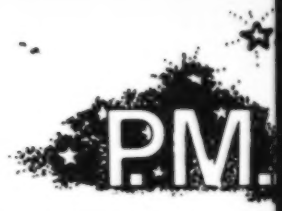
99 **What If The Employer Wants To Go Against These Work Rules?** Call or write the Department of Labor. They will not tell the employer who got in touch with them.

100 **Do You Have To Be A Certain Age To Hold Some Jobs?** Yes. There are minimum-age requirements for some jobs. They are listed in the document identified in #98 above.

101 **Are There Any Jobs That Require A Person To Be Eighteen Years Of Age?** Yes. A person must be 18 or over to operate or assist in the operation, cleaning, oiling, or wiping of any dangerous machinery, which includes certain power-driven bakery and meat market equipment; power-driven woodworking and metal-forming; punching and shearing machines; power-driven hoisting apparatus and certain power-driven paper products machines; certain tree surgery equipment; non-automatic passenger and freight elevators; and other machinery that may be deemed dangerous by the Department of Labor and Industry. There are some exceptions to this rule when the employer is an apprentice or when a Student Learner Agreement has been filed.

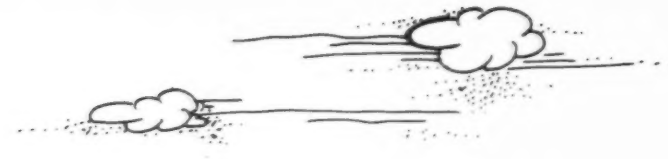
102 **What Is A Student Learner Agreement?** The Student Learner Agreement allows minors 16 years of age and over to work with machinery if certain standards pertaining to training and safety are met. The Student Learner needs a "work-training" permit. For further information, contact a Department of Labor office.

103 **Do You Have To Pay Social Security?** Yes. Anyone who earns more than $50 in any calendar quarter of the year must pay social security. The calendar quarters are:
January, February, March
April, May, June
July, August, September
October, November, December



104 **How Much Do You Have To Pay?** An employer will deduct 7.015% of an employee's earnings for the employee's share. The employer must also pay the same amount as the employee. The employer is responsible for filling out the forms and sending this money to the Internal Revenue Service.

105 **What Are The Benefits Of Social Security?** Paying social security taxes makes a person eligible to receive retirement benefits from the federal government beginning at age 62. Eligibility also depends on how long the person has worked and paid the social security tax. If a person becomes disabled before reaching retirement age, he would be eligible for disability benefits for himself and his dependents. Also, if a person dies before reaching age 62 and has paid social security taxes, his dependents would be eligible for survivors' benefits.
As of 1987, all children five years of age and older must have a social security number in order to be claimed as dependents on their parents' income taxes. To obtain a card, parents must take an original copy of the child's birth certificate *and* another identification, such as an immunization record, library card or report card.



106 **How Can You Get A Social Security Card?** A card can be obtained from the Social Security Office in any local community. Look in a telephone book under "United States Government, Health and Human Services Department," for the address. For more information on social security benefits, contact the local social security office.

107 **Do The Minimum Wage Laws Apply To Minors?** Yes, but the minimum wages are not the same for all jobs. For instance, tips received and meals provided by an employer may be added to cash wages to make up the minimum wage. Also, the minimum wage law does not apply to all jobs.

108 **How Do You Find Out What The Minimum Wage Is For Your Job?** Call the Wage-Hour Office listed in the telephone book under United States Government, Department of Labor, or write:

U.S. Department of Labor
Employment Standards
Administration
Wage and Hour Division
Washington, DC 20210

109 **Do You Have To File Income Tax Forms?** Anyone who earns over a certain amount must file a federal income tax form, regardless of age. This amount may change each year. To find out the current amount, look in the telephone book under "United States Government" and find the number for the local Internal Revenue Service Office.

In Virginia, any person with a federal adjusted gross income over $3,000 per year must file a Virginia income tax return. A person needing additional information about Virginia taxes can look in the telephone book under "Virginia Commonwealth of, Taxation" for the number.

110 **If You Do Not Earn $3,000 But Your Employer Withheld Some Of Your Earnings, What Should You Do?** File an income return and the money withheld will be refunded.

111 **Where Can You Get An Income Tax Return?** Post offices and local federal buildings have forms for federal income taxes. State forms are available at some post offices and banks. A person may request a state form from:

Department of Taxation
Box 760
Richmond, Virginia 23206-0760

112 **Where Should You Send Tax Returns?** The federal forms should be mailed to:

Internal Revenue Service Center
3131 Democrat Road
Memphis, Tennessee 38110

The state form should be mailed to the address in #111.

113 **Can Your Parent(s) Claim You As A Dependent On Their Returns If You Have Worked During The Year?** Yes, if they paid for over one-half of your support and you are under 19 years of age or were a full-time student for five months during the year. This is true even though you claim yourself on your own returns.

114 **How Can You Find A Job?** A good place to look is the "Classified" or "Help Wanted" section of the newspaper.

Job openings are often listed at the Virginia Employment Commission office in local communities—see "Virginia Commonwealth of, Employment Commission" in the telephone book. Job openings are also listed at private employment agencies which are listed in the yellow pages of the telephone book under "Employment". These agencies charge a fee for their services. (Be sure to find out what fee there is for finding a person a job). Some communities operate summer job programs. Schools and the local Recreation and Parks office will have that information.

An important part of getting a job is the job interview. This is the time to convince the employer of your ability to do the job. It is important to be neat and clean, dressed in clothes suitable for the job, and to speak politely. The impression one makes by his/her appearance and behavior can be very important.

115 **Are There Any Rules About Babysitting?** Even though babysitting is one of the more common jobs for teenagers, and one with much responsibility, there are no regulations. There are some things a babysitter should keep in mind.

—Do not answer ads for babysitting unless you can find out something about the people who placed the ad. You could find yourself in a very uncomfortable or dangerous situation.

—Before the parents leave write down the telephone number where they can be reached, and the numbers of the doctor and a neighbor to be called in an emergency. Know how to call the police and the fire departments (911 is the emergency number). Find out when the parents expect to return.

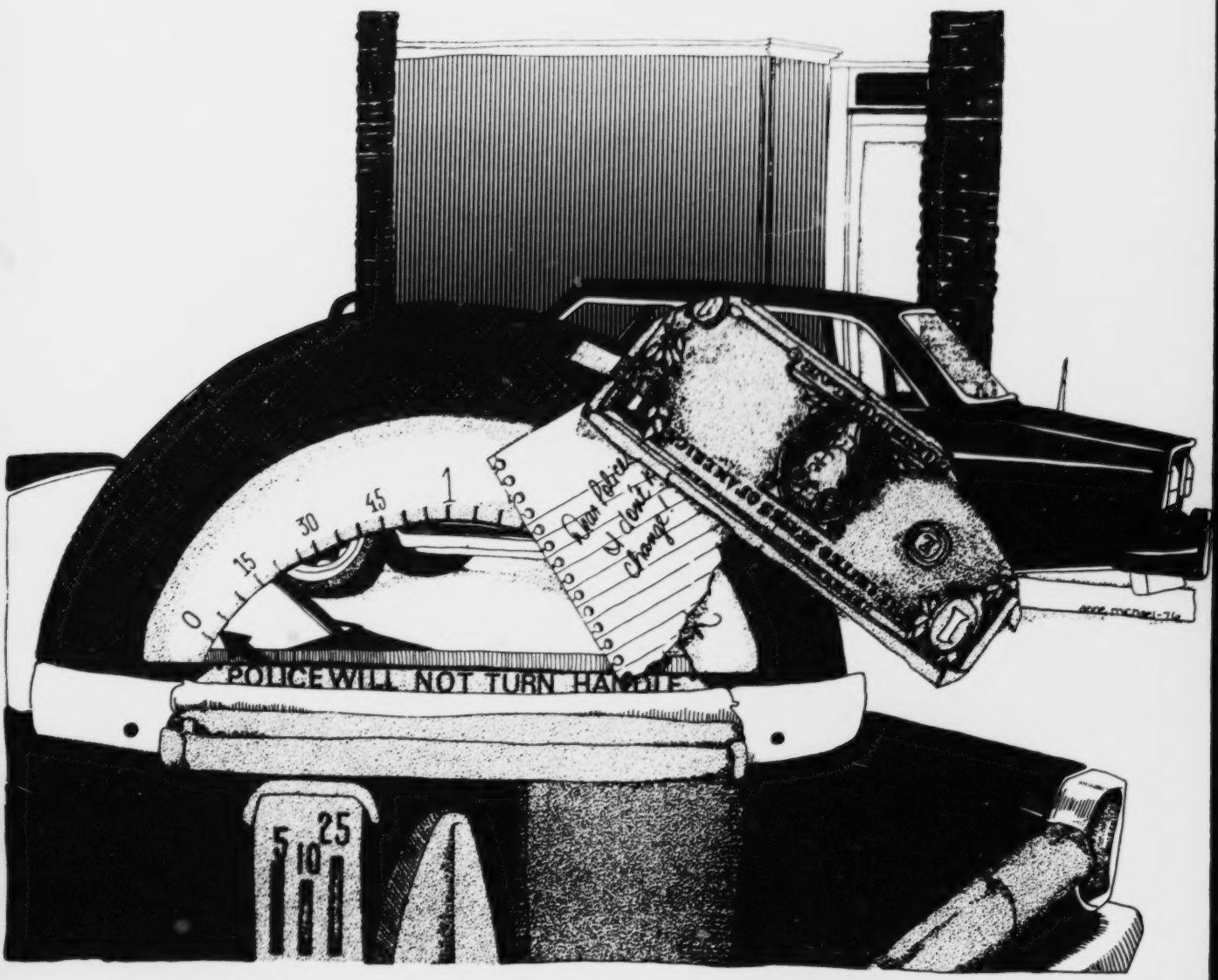
—Know the family's rules about bedtime, snacks, TV, where the child is allowed to go and any special problems the child may have.

—Know what a babysitter's privileges are concerning snacks, TV watching, using the telephone or having a friend visit.

—Be clear about rates. Babysitters are performing a responsible service for the parents and should not hesitate to tell them what they expect to be paid. Most people will appreciate knowing rather than guessing.

—*The Main Job is to Watch the Child*. Do not let anything interfere with the ability to keep the child safe and secure while the parents are away.

The U.S. Government Printing Office has an excellent booklet, "The Pocket Guide to Babysitting", available for $4.50 from the U.S. Government Printing Office, Washington, DC 20402. Ask for Stock Number 017-091-00236-3. This guide has many ideas for solving problems and caring for children.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POLICE WILL NOT TURN HANDLE
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This section deals with money. It will help you learn more about savings accounts, credit, loans, or the abbreviations on a paycheck.

116 **Can A Person Under The Age Of Eighteen Open A Savings Account?** Yes. However, some banking institutions require that the youth's parent or guardian give written permission for withdrawals. All banks do not require this authorization.

117 **What About Interest Rates?** Some banking institutions give a higher rate of interest on savings accounts than do others. It can be financially rewarding to find the highest interest rate available.

118 **Can A Person Under The Age Of Eighteen Open A Checking Account?** Some banks allow a person under 18 to open a checking account; others do not.

119 **Can A Person Under The Age Of Eighteen Get A Credit Card?** No.

120 **Can A Person Under The Age Of Eighteen Get A Bank Loan?** No. In a few cases, a teen's name may be included in a loan agreement. However, the parent or guardian signing the loan agreement is considered the person responsible for the loan. A loan involves a contract between borrower and lender, and a teenager usually lacks the legal power to enter into a valid and binding contract.

121 **What Do The Abbreviations On A Paycheck Mean?** These are the abbreviations which are likely to be found on a paycheck:

—F.I.C.A. (Federal Insurance Contribution Act)—This is the social security deduction. Additional information may be found in the employment section of this handbook.

—O.A.S.D.I.—Old Age Survivor Disability Insurance. This is also a social security deduction.

—F.W.H.—This is the federal income tax withholding deduction. The amount of tax withheld depends on how much a person earns and how many dependents are claimed on the W-4 (or number of exemptions) form.

—S.W.H.—This is the state income tax withholding deduction.

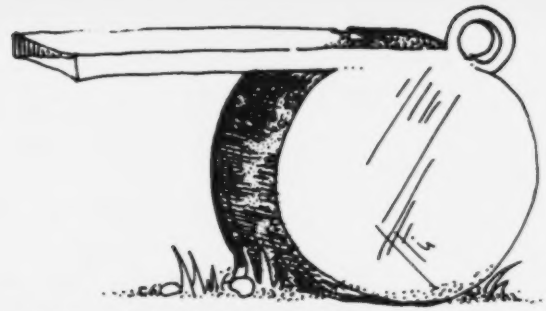
—Other—Depending on the job and the employer, there may be other deductions which may be either voluntary or required. Some of these deductions are for union dues, savings bonds, medical insurance, retirement plan, and credit union savings and/or payments. Be sure to understand each deduction on the paycheck. Your immediate supervisor or the person who prepares the payroll can answer questions.

122 **Can A Person Under The Age Of Eighteen Rent An Apartment?** It is legal in Virginia for a teenager to rent an apartment. However, the final decision is left to the landlord. A teen may be required to have someone with a proven record of financial responsibility co-sign the lease. The rent, including utilities, should not be more than one-third of a person's monthly income. If it is more, the person probably cannot afford the apartment.

Teens are sometimes confused about their sexual identity and what is appropriate conduct. What you hear from friends or other sources may or may not be correct. It is important to understand what kind of behavior is against the law and what procedures are used for those individuals who disobey laws.
Many of the laws on sexual conduct apply to both adults and minors. The difference is that juvenile court would normally handle proceedings for minors. Minors in Virginia are subject to court detention and confinement for committing sexual offenses.
This chapter is intended to provide a brief description of some of the laws and court procedures about sexual conduct.

123 **Is Sexual Intercourse Between Two Consenting Minors Legal?** No, unless they are married to each other. In fact, under Virginia law, sexual intercourse between persons of any age is unlawful unless they are married to each other.

124 **Wht Is The Difference Between Adultery And Fornication?** A married person who has sexual intercourse with someone other than his or her spouse is guilty of adultery. An unmarried person who has sexual intercourse with any other person is guilty of fornication. Both adultery and fornication are against the law.



125 **What Is Incest?** Incest is committed when a person has sexual intercourse with any family member he/she is forbidden, by law, to marry. Depending on the relationship in the family between the persons involved, the penalty for incest can range from a fine of up to $1,000 to imprisonment for up to 20 years.

126 **What Does "Taking Indecent Liberties With Children" Mean?** It means the performance of any of the following actions by a person 18 years or older with a child under the age of 14:

a. intentionally exposing of his or her sexual or genital parts to a child if not married to that person or suggesting that the child expose sexual or genital parts to the adult
b. suggesting that a child feel or fondle the sexual or genital parts of the adult, or the adult feel or fondle the sexual or genital parts of the child
c. suggesting an act of sexual intercourse to a child
d. inviting a child to enter any vehicle, rooming house, or other place in order to perform an act of sexual intercourse or fondle the sexual parts of that child
e. receiving money or other payment for allowing, encouraging or enticing any person under 18 years of age to be involved in sexually explicit visual material such as pictures, movies, and/or videotapes.

All of these are against the law.

127 **What Is Prostitution?** Virginia law states that any person who, for money or its equal reward, commits adultery or fornication (sexual intercourse with other than a husband or wife) or offers to commit adultery or fornication may be convicted of being a prostitute. A person could be legally confined for up to 12 months and/or receive a fine up to $1,000.

128 **Are Homosexual Acts Between Two Consenting Persons Illegal?** Yes. Sexual acts which are committed by homosexual couples are prohibited by law.

129 **What Is Rape?** Rape is committed when a person forces another person to engage in sexual intercourse. This is a criminal offense for which a person could be imprisoned for life or any term not less than 5 years. Statutory rape is sexual intercourse with any child under the age of 13 (male or female) with or without consent.

130 **What Is Sodomy?** The term "rape" is generally not used when boys are sexually attacked by men. Instead, the law refers to this forceful

attack as sodomy. The penalty for forcible sodomy is five years to life.

131 **What Should You Do If You Are Raped?** Get to a safe place. Call a friend, parent, relative, police, sheriff, or responsible adult immediately. A person who has been raped and is going to report the assault to the police or sheriff should not wash, douche, change clothes, wipe after urination, or change any physical evidence at the scene. Get medical attention because a victim may need treatment for venereal disease or pregnancy.

132 **Should The Rape Victim Be Examined By A Doctor?** Yes. All sexual assault victims should be examined by a doctor even if the person should decide not to report the rape to the police. An internal examination is necessary in rape cases. The doctor will also treat the victim for any injuries. It is extremely important that the medical examination be completed as soon as possible. There will be a female nurse present during the examination to help the victim.

133 **Is The Rape Or Sodomy Victim Questioned?** Yes. Depending on the local police department, the detective or investigator in charge of the case may question the victim immediately or wait until after the medical examination. Some police departments allow a family member or friend to be present during the

questioning. This in depth interview is one of the most important parts of the investigation and will cover all details of the rape. It will be most helpful to the police if the victim remembers various details such as what the attacker was wearing, what he said, etc.

134 **Will You Be Asked To View Pictures Of Possible Suspects?** Yes. The police may ask the victim to view photographs of possible suspects or identify the rapist from a line-up.

135 **What Happens If An Arrest Is Made?** If an arrest is made, the first court procedure involving the victim will be the preliminary hearing. The purpose of the preliminary hearing is to tell the suspect the charges against him, his rights and to make sure that he has a lawyer. The victim will be represented by a Commonwealth's Attorney.

136 **Should The Victim Talk To His/Her Lawyer Before The Trial?** Yes. It will be helpful for him/her to make an appointment with the Commonwealth's Attorney before the preliminary hearing so that the attorney may explain what will happen during the hearing. The locality may also have a victim/witness coordinator who can be helpful.

137 **If Enough Evidence Is Presented To Show That The Accused Person Did Rape Or Sodomize You, What Happens?** If "probable cause" is shown at the preliminary hearing, that is, if there seems to be evidence that the suspect did commit the crime, the case will go to a grand jury.

138 **What Happens At The Grand Jury Proceedings?** If the evidence presented is strong enough, the grand jury makes formal charges, called indictments, and the defendant is later tried on these charges.

139 **What Happens At The Trial?** During the trial, the victim and any witnesses may be required to testify in open court. The person who has been raped or sodomized will be expected to tell what happened. The defense attorney will then ask questions on "cross-examination". These questions will be asked in an attempt to prove that the crime did not occur or that the accused did not commit the crime. Some of the questions may be difficult. Again, an appointment with the Commonwealth's Attorney or victim/witness coordinator before the trial will help prepare the victim for cross-examination. The suspect (defendant) will then be found guilty or innocent by either the judge or a jury.

140 **What Assistance Is Available To Rape Victims In Virginia?** In many cases, there are rape crisis intervention teams, counseling centers, or rape hotlines that the victim

may call, at any time, to obtain answers to questions or to obtain counseling if he/she is having difficulty. He/she may ask a Commonwealth's Attorney, telephone information operator, or inquire at City Hall or the County Courthouse to find out whether such an organization exists in his/her community.

141 How Can Persons Protect Themselves Against Rape? While it is not always possible to avoid being assaulted, there are things that persons can do to protect themselves.

At Home

—Open the door only for people you know.

—Ask service persons for identification. Verify with the company if there is any doubt about a person's identity.

—Know the neighbors who can be depended upon in an emergency.

While Walking

—Avoid walking alone at night.

—Walk along well-lit streets. Avoid deserted roads, shortcuts, dark parking lots and alleyways.

—Dress sensibly. Many styles (platform or high heeled shoes, tight pants and tight skirts) make walking and running more difficult.

—If you think you are being followed, scream and run to a safe place. Run to a lighted area and try to attract someone's attention. Call 911 for help.

—Don't overburden yourself with purse, packages, or papers. Keep your hands free.

In The Car

—Always check the back seat and floor of a car before entering.

—Keep car doors locked.

—Do not unlock doors or roll down windows to give directions to strangers.

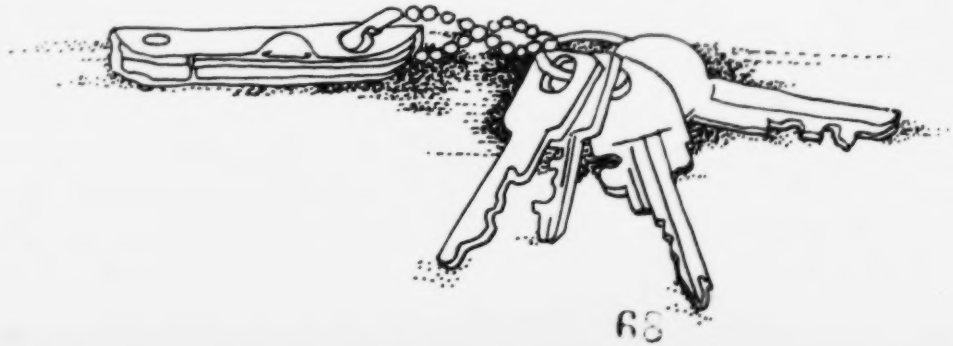
—If being followed by a car, don't go home. Drive to nearest police station with your hand on the horn. Try to get the color, model and license number of the car that is following you.

In General

—Don't hitchhike.

—Don't give personal information on the phone.

—If you live in an apartment, be sure that there is good lighting in entrances, locked laundry rooms and trash rooms, and near trimmed shrubbery. If these safety protections don't exist, contact the management to get them improved.



This chapter deals with the various health problems and concerns which face youth today. Included are questions and answers regarding venereal diseases, abortion, sickle cell disease, nutrition and smoking. Additional health information may be found in other chapters.

142 **What Is V.D.?** V.D. is an abbreviation for venereal diseases, which are highly contagious. These can also be referred to as sexually transmitted diseases, or STD's.

143 **Is There More Than One Type Of V.D. Or Sexually Transmitted Disease?** Yes. There are six venereal diseases recognized in the United States. The two most common are chlamydia and gonorrhea. Chlamydia is the most common of all the venereal diseases in the United States.

144 **How Are STD'S Transmitted Or Passed From Person To Person?** STD's are transmitted by sexual contact. The germs are passed from the body of one person to the body of another by intimate personal (usually sexual) contact with someone who already has the disease. Syphilis is transferred to a person by direct contact with an infectious lesion (sore) on another person. Many STD's can also be transferred from an infected mother to her unborn baby.

145 **What Are The Early Signs Of Chlamydia?** In the male, symptoms appear three to eight days after becoming infected. These include burning pain, reddening and swelling of the membranes of the genitals, painful burning when urinating, and a yellowish-white discharge from the penis. Most females have no symptoms. If there are early symptoms, they will be similar to the male's—a discharge and frequent pain when urinating.

146 **What Are The Early Signs Of Syphilis?** In the first stage (10 to 90 days after contact) a painless sore (chancre), may appear where organisms first entered the body, usually on the genitals, but sometimes on the mouth or rectum. It is important to remember that the early signs of the disease may disappear and the individual begins to believe that he or she is cured. Without medical attention this is not true.

147 **Can STD's Be Cured?** Only some STD's can be cured, so the best treatment is not to get the disease in the first place. If someone gets a STD, it is important that the disease be treated early to prevent permanent damage to the body. A number of antibiotics, including penicillin, can cure certain STD's. Medication must be prescribed under medical supervision.

148 **Can A Quick Cure For STD's Be Purchased In A Drug Store?** No. Only a doctor can treat these diseases. Anyone who thinks that he/she has a sexually transmitted disease should visit a doctor or health department *immediately*.

149 **Can A Person Get A Sexually Transmitted Disease Again If He Or She Has Already Had It Once?** Yes. A person can have a STD any number of times. One case does not make a person immune to it.

150 **If You Are Under Eighteen, Do You Have To Have Parental Consent For Treatment Of A STD?** *No.* It is legal for minors to receive treatment for a STD. All information is kept *strictly confidential.*

151 **Can A Baby Be Affected If The Mother Has A STD During Her Pregnancy?** Yes. Blindness, deformity, and sometimes death of a child can result if the mother goes untreated for a STD during pregnancy.

152 **Where Can A Person Get More Information About Causes, Signs, And Symptoms Of Sexually Transmitted Diseases?** Doctor's offices, health or V.D. clinics, and the local or state health department.

153 **Should An Individual Who Is Being Treated For STD's Release The Names Of Persons With Whom He/She Had Sexual Relations?** Yes. Certain STD's can cause sterility, brain damage to unborn babies, crippling paralysis, blindness and damage to the heart

and blood vessels if they are not detected and treated.

154 **What Is Herpes Simplex?** Herpes Simplex is a contagious, acute, recurring viral infection. It can be a sexually transmitted disease.

155 **How Many Kinds Of Herpes Simplex Viruses Exist?** There are two closely related Herpes simplex viruses—Type I and Type II. Type I generally occurs around the mouth or face—cold sores, fever blisters, and herpetic keratitis (inflammation of the cornea of the eye). This virus lies dormant in the body, can reactivate to cause repeated infections, and has no cure.

156 **What Is Genital Herpes?** Herpes Simplex Type II, or genital herpes, is a highly contagious, sexually transmitted viral infection on or near the sex organs.

157 **Can Genital Herpes Be Cured?** At present, there is no cure. Some of the discomfort of symptoms can be alleviated by medication under a doctor's supervision.

158 **What Are The Symptoms Of Genital Herpes?** Symptoms include itching or pain in the genital area, a burning sensation when urinating, or a vaginal discharge. Usually within a week of infection, small painful blisters appear on the vagina, cervix, urethra, or anal area

in women, and on the penis or around the anus in men. The sores become crusty and heal without scarring. Local swelling and flu-like symptoms such as fever, sore throat, headache and tiredness may be present.

159 **Can Genital Herpes Recur?** Yes. There is a very good chance that the virus will reactivate at some time causing new sores at or near the site of the original infection.

160 **Should A Person Consult A Doctor If He Or She Suspects Genital Herpes?** Yes. It is important to see a doctor as soon as possible. Only a physician can determine whether or not a person has genital herpes.

161 **How Are The Herpes Simplex Virus Infections Spread?** Herpes infection can be transmitted when any part of a person's body directly touches the fluid from blisters or sores containing the active virus. Mucous membranes, such as those in the mouth or genital area, are very susceptible to herpes.

162 **What Is The Relationship Between Herpes And Cancer?** The relationship is not clear. Data suggests that women who have had genital herpes have a higher risk of getting cervical cancer and should have a Pap smear at least once a year.

163 **What Is AIDS?** Acquired Immune Deficiency Syndrome (AIDS) is a serious disease that impairs the body's ability to fight infection which may lead to death.

164 **What Causes AIDS?** The cause is a virus which can be transmitted through intimate sexual contact, sharing hypodermic needles and from an infected mother to her baby during pregnancy.

165 **What Are The Symptoms of AIDS?** There are no clear cut symptoms that indicate the loss of immunity, but many patients with AIDS have had fever, loss of appetite, weight loss, extreme tiredness, swollen lymph glands in the neck, underarm area, or groin, and diarrhea.

166 **Who Is At Risk Of Having AIDS?** Those persons at highest risk of infection are homosexual men, IV (intravenous) drug users, the sexual partners of infected individuals, and the babies of infected mothers. Because of increased precautions in testing blood prior to its use for transfusions, the risk of getting AIDS through blood transfusions is now greatly reduced.

167 **Is There A Cure For AIDS?** At present there is no known cure.

168 **What Is Sickle Cell Disease?** Sickle cell disease is an inherited

blood disease in which the red blood cells are abnormal in shape and contain an abnormal type of hemoglobin.

169 **Who Is Likely To Have Sickle Cell Disease?** Most of the affected people are of Afro-American ancestry, but people of European and Mediterranean descent can be affected also.

170 **Are There Different Variants Of Sickle Cell Disease?** Yes. They are the sickle cell trait, sickle cell anemia and sicklemia. Sickle cell trait is an inherited condition whereby the individual has gotten the sickle hemoglobin gene from one parent and a normal gene from another parent. It occurs in one out of 10 blacks. Under normal conditions, individuals with the sickle cell trait have little or no medical problems. The significance of knowing that one has the trait is for the future. If one marries someone with sickle cell trait, the chance is one in four that any child conceived may have sickle cell anemia. Sickle cell anemia is an inherited, incurable, chronic illness which affects the red blood cells and causes a severe anemia and other problems. Sickle cell anemia occurs in approximately one out of 400 blacks.

171 **What Are The Symptoms Of Sickle Cell Anemia?** Symptoms include aches and pains in the bones and muscles, swelling in the hands and joints, yellowing of skin and the whites of the eyes, sores that do not heal (especially around the ankles), pains in the stomach that last for several days and anemia. The first symptoms usually appear at one to four years of age, but occasionally earlier. All of these symptoms may be caused by other diseases, and the presence of one of these does not mean the patient has sickle cell disease. Diagnosis of the disease is made only by examining the blood through special tests.

172 **Is There A Cure For Sickle Cell Anemia?** At present, no. But with proper medical management, individuals may lead a productive life.

173 **Where Can I Go To Find Out If I Have The Trait Or Anemia?** A physician or the local health department can give a simple blood test to determine this.

174 **What Are The Dangers Of Being Overweight?** Obesity (very overweight) is a serious health problem. It can cause death from heart disease and disease of the blood vessels. Being overweight puts a strain on the entire body and increases the complications of diabetes, kidney disease, gall bladder disease, arthritis and cancer.

175 **How Can I Lose Weight?** A person can lose weight by reducing caloric intake and increasing physical activity. Studies have shown that inactivity is frequently the cause of overweight in teenagers. Since the teenage years are still growth years, weight reduction diets should follow basic nutrition principles using the Basic Four Food Groups as a guide (meat, fish or poultry, milk and dairy products, fruits and vegetables, bread and cereals). Crash diets should be avoided. A weight loss of one-half to one pound per week is healthy for teens. To achieve weight loss, calorie intake must decrease. This decrease in calories should come from avoiding sweets, soft drinks, snacks such as potato chips, corn chips and fatty foods. Three meals a day should be eaten, with emphasis on fruits, vegetables, low fat meat and milk, and whole grain breads and cereals in moderation.

176 **What About Diet Pills?** Diet pills can be dangerous. Physicians generally do not prescribe them for children or teens.

177 **What Are Fad Diets? Are They Effective?** Fad diets are diets not based on sound nutrition principles; and usually contain a gimmick to attract the public's attention. These diets frequently omit one or more of the Basic Four Food Groups, with milk and grains usually lacking. Calorie levels are dangerously low so that a large amount of weight can be lost in a short period. Fad diets may result in quick weight loss, but they are very unsafe and can cause serious illness. Because a person on such a diet does not learn to eat in such a way that he or she can main-

tain weight loss, weight is frequently gained back rapidly.

178 **Where Can You Get Help With A Weight Problem?** Doctors and health departments can provide consultation. There are several organizations which have been formed to help people reduce their weight. Consult with your doctor or local health department before joining one of these groups.

179 **What Is Anorexia?** Anorexia nervosa is an eating disorder brought on by a great fear of fatness, and is characterized by self-starvation. It is generally found in adolescent girls, but can also be in older women or in men. Anorexia is more likely to be found in a person who is very self-critical. This person may begin by trying to lose a little weight, then will build a distorted body image, believing she is always fat. Generally, the anorexic, because of conditions in her family or elsewhere, feels that she must have control of some part of her life, and that control is exercised with eating habits. A related disorder is bulimia, in which a person loses control over eating and binges (eats a lot), then tries to regain control by purging through induced vomiting. Anorexia nervosa is a psychological condition with severe physical results. Both the psychological and physical aspects must be dealt with through treatment. The anorexic will seldom realize her distortion or need for help and is usually brought to the doctor by a family member or a friend. An anorexic's denial is dangerous because there are life-threatening complications that arise from self-starvation.

180 **Is There A Cure For Anorexia?** In some cases anorexia is not severe and the victim returns to regular eating habits on her own or with the help of friends. Usually, anorexia must be treated by a team of medical or psychiatric doctors, usually in a hospital setting, until a normal weight is reached. Even if temporarily cured, the majority of anorexics will be vulnerable to returning to this type of behavior during periods of stress.

181 **Is It Illegal For People Under 16 Years Of Age To Purchase Or Possess Tobacco Products?** Yes.

182 **What Diseases Are Directly Related To Smoking?** Prolonged and heavy smoking is causing deaths from lung cancer, emphysema, heart disease and other diseases at an increasing rate. Chewing tobacco can cause oral cancer.

183 **Is There Any Proof That Smoking Is Harmful To The Fetus During Pregnancy?** Research shows that women who smoke tend to have babies of lower birth weight. This can cause further problems because babies of low birth weight have a high rate of nervous system damage and greater chances of death during the first year of life.

Most of this handbook deals with the rights and responsibilities of young persons in Virginia. However, there are many instances when teenagers have questions regarding the rights and responsibilities of their parents. It is for this reason that this chapter has been included. (For a more detailed explanation of some of the legal matters discussed in this chapter, see the chapter on Juvenile Court.)

184 **If A Person Under Eighteen Runs Away From Home, Can His Parents Report Him To The Police?** Yes. Parents can call the police and file a missing person's report; parents can call the police as soon as they suspect their child has run away or is missing.

185 **What Happens If A Parent Files A Missing Person's Report?** The police will try to find the missing juvenile. If the police are successful, they will notify the parents. Under normal circumstances, in Virginia, the juvenile will not have any charges filed against him/her. The police cannot delay action when a child is reported missing, whether he/she has run away or has been abducted.

186 **Can An Habitual Runaway Be Detained In a Detention Home?** No. A runaway may be placed in a shelter facility or foster home temporarily, but may not be "locked up".

187 **What Happens In Court When A Juvenile Must Appear For Running Away?** A court hearing is held and the judge, not the parents, decides what is to happen.

188 **What Are The Consequences For Running Away?** The consequences vary widely, depending on the circumstances. In Virginia, the juvenile may be brought before the court where he/she may be referred to some type of supervision or counseling. In order to protect the safety of the minor, the court may order a child welfare agency, or a person other than his parents, to have custody of the child.

189 **When A Juvenile Has Problems, Is There Anything That He/She Can Do Instead Of Running?** Yes. Local social services, mental health, family services or court services agencies may be of help. Their phone numbers are usually listed in the yellow pages of the phone book under "Social Services Agencies". A person can also call the National Runaway Switchboard at 1-800-621-4000, or the Runaway Hotline at 1-800-231-6946. There is no charge for either call.

190 **What Is Family Counseling For?** The aim of family counseling is

to help family members live and work together in harmony. All families have problems and sometimes assistance from a person outside of the family is necessary to help solve the problems.

191 **What Does "Incorrigible" Mean?** Incorrigible is a legal term no longer in use, which meant being beyond a parent's control. Under current law, parents can now complain to the court if their child does not obey their "reasonable orders".

192 **For What Offenses Can Parents File A Petition With The Court?** They can file a petition if their child is truant from school, is a runaway or is beyond parental control.

193 **How Is A Juvenile Court File Used?** Juvenile court records are confidential. Records of all non-felony convictions are destroyed when the child turns 19 and/or when 5 years have passed since the last court proceeding involving the child.

194 **What Are The Rights Of A Juvenile Whose Parents Kick Him Out Of The House?** The juvenile may go to the protective services office at the local social services department to ask for as-

sistance and advice. Or, the juvenile may go to the court services unit at juvenile court and ask that a petition be filed with that court to have his welfare decided. The court will appoint someone to investigate the home situation and then a decision will be made.

195 **Can Your Parents Commit You To An Institution?** No. Parents cannot commit their child to a public institution such as a learning center or a state mental hospital. Only a judge can do this. Parents may say things about the juvenile's behavior that would make a judge consider commitment, but the judge will hear the child's story before he makes a final decision.

196 **What Actions Of Parents Are Considered To Be Child Abuse Or Neglect?** Not taking proper physical or emotional care of a child. For example: not sending a child to school regularly, not seeing that medical problems are looked after, abandoning a minor, sexually abusing a child and/or physically hurting a child.

197 **What Are The Abused Child's Rights?** To be guaranteed a safe home environment. The juvenile court will either monitor the child's home to eliminate abuse or neglect or will have the child placed with a relative or foster parents.

198 **Who May Report Suspected Abuse Or Neglect?** Anyone.

199 **Where Should Persons who Suspect Or Know About Abuse Or Neglect Call?** The child abuse hotline. The phone number is 1-800-552-7096. There is no charge for this call.

This section attempts to answer questions about marriage, birth control, foster care and adoption. Questions regarding pregnancy, the pregnant student, paternity and public assistance are also answered.

200 **Is A Blood Test Needed To Obtain A Marriage License?** No. A blood test is no longer required for a marriage license in Virginia.

201 **Where Do Couples Go To Get A Marriage License?** A marriage license is issued by the Clerk of the circuit court of the city or county where the bride or the groom usually resides. If neither is a resident of Virginia, the couple may go to any circuit court in the state. Look in the blue or white pages of the telephone book under the name of the city or county for the number of the Clerk's Office.

202 **Is There A Fee In Virginia To Obtain A Marriage License?** Yes. There is a $20 cash fee to obtain a marriage license.

203 **Is Any Other Information Necessary In Order To Obtain A Marriage License?** Anyone wanting to obtain a marriage license must provide identification showing that he/she is over 18 years of age. If a person was previously married, a copy of the final divorce decree or death certificate of the previous spouse must also be presented to the Clerk.

204 **Can Someone Marry If He Or She Is Not Eighteen?** Anyone between 16 and 18 years of age must have parental consent. Also, a parent of a 16 or 17 year old must be present in the clerk's office and give permission in order for the teen to get the marriage license. There must be a copy of the birth certificate to show the official and the parent must also have identification. A step-parent, unless he/she has legally adopted the child, cannot give parental consent.

205 **Can A Teen Under Sixteen Years Of Age Marry In Virginia?** If either the male or female is under 16 years of age, the clerk will issue a marriage license only if a doctor's certificate is presented stating that the female is pregnant or has been pregnant in the last nine months. Parental consent is also required.

A minor declared delinquent, dependent or neglected would need the consent of the judge or a person authorized by the Director of the Department of Corrections rather than consent of a parent.

206 **Can A Person Who Has Been Divorced Apply For A Marriage License?** Yes. A copy of the final divorce decree must be brought to the office of the Clerk of the Court when applying for a license to remarry.

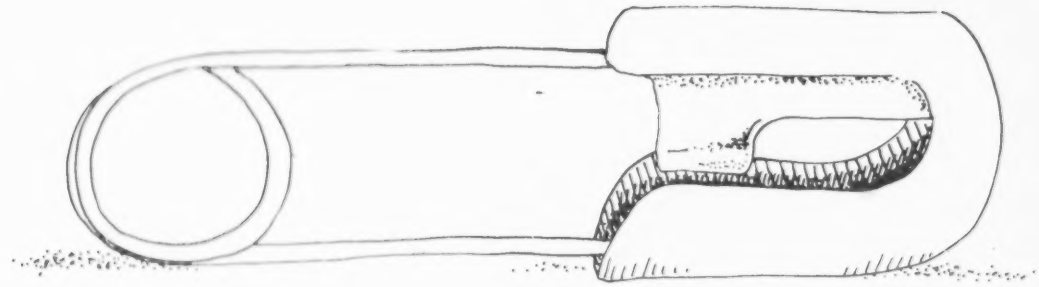
207 **What Is Meant By Birth Control?** "Birth control" refers to methods used by men and women to prevent pregnancy.

208 **What Methods Of Birth Control Can Be Used By Women?** Oral contraceptives ("the pill"), the diaphragm and/or spermicidal jelly or cream, a cervical sponge, intrauterine device (IUD's), vaginal foams, tablets and suppositories, sterilization and abstinence.

209 **What Are The Methods Of Birth Control Used By Men?** The condom, withdrawal, sterilization and abstinence.

210 **Can A Minor Get Birth Control Services Without Parental Consent?** Yes, with the exception of sterilization.

211 **Where Can A Person Get More Information On Birth Control?** Doctors, local health departments and family planning clinics can provide appropriate information on the potential benefits and complications of various methods. Local social service departments can direct persons to community birth control resources. The yellow pages of the telephone book under "Pregnancy Counseling" or in the blue pages under "Health" also lists resources.



212 **If A Teen Suspects That She Is Pregnant, Where Can She Go To Find Out For Certain?** A doctor, a local health department, family planning clinic or a Planned Parenthood clinic can perform a pregnancy test.

213 **What Is Involved In A Pregnancy Test?** The test simply involves collecting a urine specimen from the person who wants to know whether she is pregnant. The results are usually available the same day. Planned Parenthood clinics give pregnancy tests for a $6.00 fee as long as the patient has had a previous physical at the clinic. Local health department clinics offer free pregnancy tests.

214 **Can A Teen Under Eighteen Years Of Age Have A Pregnancy Test Without Parental Consent?** Yes. Parental consent is not required for a pregnancy test and information is given only to the person tested.

215 **If A Teen Finds Out She Is Pregnant And Wants Counseling Where Can She Go?** She may contact the local health department's family planning clinic, the Planned Parenthood clinic, other family planning clinics or a doctor. In some areas there are pregnancy hotlines. Look in the telephone book for more information.

216 **Besides Keeping Her Baby, What Alternatives Are Available To A Pregnant Teen?** Adoption, abortion and foster care. The resources listed under "Pregnancy Counseling" in the telephone book may be useful in helping a teen make a decision.

217 **What Is Prenatal Care?** Medical care for the expectant mother and baby before birth. Prenatal care should begin as soon as the female learns she is pregnant.

218 **What Is The Value Of Prenatal Care?** Prenatal care is very important. The health of the mother and the baby are better protected if the woman visits her doctor (obstetrician) early in the pregnancy and on a regular basis thereafter. Prenatal care results in healthier babies. Studies show that women who receive no prenatal care are three times more likely to bear underweight babies. Low birth weight is the leading cause of infant death. Prenatal care will also help the expectant mother avoid any complications during pregnancy and delivery.

219 **What is Meant By Post-Natal Care?** Care of the mother and of her child after the baby's birth.

220 **What Is The Value Of Post-Natal Care?** Post-natal care gives the doctor the opportunity to check on the health of the mother and baby soon after the baby's birth. This will help to ensure that conditions which were not apparent at the time of the baby's birth will not continue to go undetected. Post-natal care also gives the mother a chance to ask the doctor questions about care of the baby and herself.

221 **Can A Student Remain In School If She Becomes Pregnant, And Stay In School Throughout Her Pregnancy?** Yes. By law, no student can be kept out of school because of pregnancy.

222 **Does The Pregnant Student Need To Obtain A Medical Certificate To Remain In School?** No.

223 **Can The Parents Of A Pregnant Teen Withdraw Her From School Without Her Permission?** No.

224 **Can A Pregnant Student Participate In Extracurricular Classes?** Yes. The only reason a pregnant teen might not participate in certain extracurricular activities is if her doctor has advised her to avoid these activities. *Only the doctor may decide this; the school authorities may not make this decision.*

225 **Must A Pregnant Teenager Take Part In Physical Education Classes?** No. If a note from the girl's doctor is provided stating that she cannot participate due to difficulties in the pregnancy, she must be excused from the physical education classes.

226 **How Does A Pregnant Student Arrange For Homebound Instruction if She Cannot Remain In School?** The special education department of the local school board office helps students arrange for homebound instruction. The principal and the guidance counselor have the telephone number. The telephone number can also be found in the blue pages of the telephone book under "School Administration".

227 **Where Should A Person Go To Apply For Public Assistance?** To the local social services office.

228 **If An Unmarried Mother, Under Eighteen Years Of Age, And Her Child Do Not Live With Her Parents, Is The Mother Eligible For Public Assistance?** The mother must have a good reason for not living with her parents, such as following a court order, in order to be eligible for public assistance.

229 **If An Unmarried Mother Under The Age Of Eighteen, And her Child Live In The Home Of Her Parents, Is She Or The Baby Eligible For Public Assistance?** The teenage mother and her baby would not be eligible unless her parents were on public assistance and she was listed on their grant.

230 **Can A Married Mother, Under Eighteen Years Of Age, And Her Baby Be Eligible For Public Assistance?** A married mother is eligible for assistance for herself and her children if she has filed a petition of non-support with the juvenile court and the cannot locate the father or if she and her husband don't make enough money to support themselves and their child. These parents should contact the local social services office. They determine what persons are eligible for public assistance.

231 **What Is Meant By Paternity?** Paternity means fathering a child.

232 **Is A Father Under Legal Duty To Support His Child?** A father who legally admits paternity is under legal duty to support his child until the child is 18 years old. In Virginia, a mother has the same duty. If either fails to do so, and the child is found to be in needy circumstances, the mother or father may be punished.

233 **Which Court Handles Child Support Cases?** The Juvenile and Domestic Relations District Court.

234 **Legally, How Can It Be Proved That A Man Is The Father Of A Child?** The Virginia Code says that paternity may be established in these ways:

- A man may voluntarily admit in the proper court that he is the father
- The court may find that he has voluntarily admitted paternity in writing, under oath
- "Other evidence" may show "beyond reasonable doubt" that he is the father of the child and that he should be responsible for the support of the child

235 **What Does "Other Evidence" Mean?** There are five other ways to prove paternity. The are:

—If a man openly lived with the mother for the 10 months prior to the birth of the child
—If a man gives his consent to someone other than the mother to use his name on a certificate of birth
—If a man regularly allows the child to use his surname
—If a man claims the child as his dependent on any document or tax return
—If shown by medically reliable blood grouping test, such as the HLA (human leukocyte antigen) test

236 **Where Can People Receive Adoption Counseling?** Counseling is provided by all local services agencies. Some localities also have private family and children's services agencies which provide counseling. Private agencies may charge for their services. The fee is often based on the individual's ability to pay.

237 **If A Mother Is Under Eighteen Years Of Age, Does She Need Parental Consent To Place Her Child For Adoption?** No.

238 **Can A Pregnant Teenager Give Sole Consent To Placing Her Child For Adoption?** No woman (teenage or older) can give her child for adoption without the consent of the father. If she cannot or will not reveal the father's name, a court ruling is necessary to release the child for adoption. An adoption agency can assist in obtaining a court ruling.

239 **If Natural Parents Place Their Child For Adoption, Are Their Names Kept Secret?** Yes. A child may examine state records, but these do not contain the parents' names. Only by court order can the identity of parents be revealed.

240 **Do Natural Parents Have The Right To Know The Name Of The Person(s) Adopting Their Child?** No.

241 **Do Natural Parents Need A Lawyer To Place Their Child For Adoption?** No. However, the adopting parents need a lawyer.

242 **What Is Foster Care?** Foster care is temporary care for a child outside his home until the family can be reunited or plans for permanent placement can be made.

243 **Where Can One Go To Obtain Information On Foster Care?** The local social services office. In some areas, there are private child placing agencies.

244 **What Is An Entrustment Agreement?** A voluntary agreement between the agency and the parent(s) which states that the agency will provide foster care for a child for a specified length of time, usually less than one year.

245 **What is A Court Commitment?** When there is a decision on the part of the parent(s) and the agency that the purpose of placement is long-term care for the child, the parent(s) should petition the juvenile court for commitment of the child to the agency. This allows the agency to undertake the greater responsibility that long-term care requires.

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Do not assume that elected officials will not help you solve a particular problem; give them a chance. It is very possible that until you bring a problem to their attention, they won't know that it exists. This chapter provides information on some of the ways that young people can make an impact on the decision-making and law-making processes in Virginia

246 **How Can A Minor Start A Process To Change A Local Ordinance?** If the subject is a local fine, curfew hour, zoning regulation or other local ordinance, call the mayor's office, city councilpersons, town or city manager's office or a member of the board of supervisors. There are often offices within city or town government set up to deal specifically with citizen inquiries. If these persons cannot help, they should be able to give the name, address and telephone number of the office or agency responsible for making or enforcing such rules.

247 **What About A State Law?** In connection with a state law, contact the Delegate or Senator who represents your area in the Virginia General Assembly. The state is divided into Senatorial and House Districts. Currently there are 40 senators and 100 delegates. The power and duties of the Senate and House are basically the same. To find out which General Assembly member represents your community, call the newspaper, library, the offices of your local government or the League of Women Voters' office (if there is one in your community).

248 **What If You Want To Change An Agency Policy, Not A Law?** Speak to someone in the agency about the policy first and explain the reasons for it, and the problems it creates. Get a good understanding of the situation and then decide whether or not to speak to an elected official.

249 **What Is A Public Hearing?** Throughout the year, commissions and committees created by the General Assembly to study certain issues hold meetings called public hearings at which the public is invited to express its opinions.

250 **If You Decide To Speak At A Public Hearing, How Should You Prepare For It?** In order to give and get the most from speaking at a public hearing, research the subject thoroughly. It helps to show a good understanding of the issue. When speaking, first identify yourself, then be brief, accurate, and prepared to answer questions. If you do not know the answers, say so. It is a good idea to give the members of the committee typed copies of your statement, but this is not necessary.

251 **How Can You Find Out When A Public Hearing Will Be Held?** Public hearings on local issues are often publicized in local newspapers and on television. The Virginia Code Commission publishes the Virginia Register, a bi-weekly calendar of government events occurring during the year. Copies should be available in the public library. Also, the agencies or committees sponsoring the hearings normally send out press releases stating the time, date and location of the meetings.

252 **What Are The Voting Requirements In Virginia?** A person must be 18 to vote in any general election. A person who will be 18 before the next general election may register before age 18 and also vote in any intervening primary or special election. There is no residency waiting period, but the registration books are closed 30 days before most elections. In order to register, a person must have a permanent address in the county, city, or town where registering. A registrant must be a United States citizen to vote. A person who has been convicted of a felony or has been declared by the court mentally incompetent can not vote, unless his or her civil rights have been restored or his/her competency is re-established.

253 **How Do You Register To Vote?** Contact the local registrar (number should be listed in telephone directory) for information on where and when to register.

254 **What Happens If You Don't Vote In Every Election?** Nothing. However, anyone failing to vote at least once in a four-year period must re-register. Remember, voting is a right and responsibility. It is one major way to have an effect on local, state and national government.

The following are questions that teens might ask that don't fit into one of the previous sections.

255 **What Is The Penalty For Making An Obscene Phone Call?** As in other matters related to delinquent acts, the judge will make the disposition based on the present offense and the youth's "social history". (See #31 for further explanation).

256 **Do 18-Year-Olds Have To Register For The Draft?** Yes. All resident males must register within 30 days of their eighteenth birthday at the nearest U.S. Post Office.

257 **Can Minors Purchase Handguns?** No. It is against the law in Virginia, and most other states, for any minor to purchase a handgun.

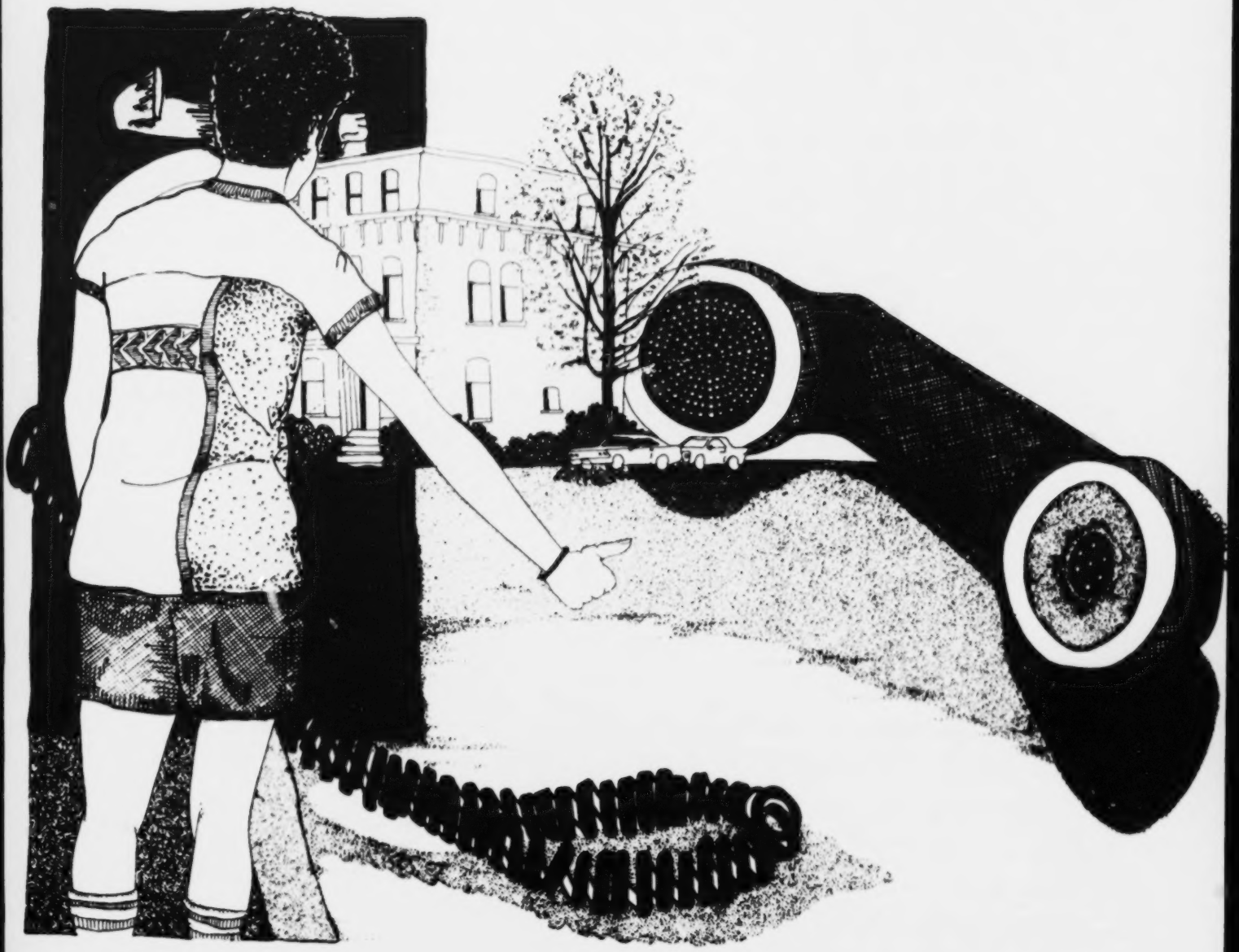
258 **What Are The Hitchhiking Laws In Virginia?** Hitchhiking is permitted on any highway or street except for interstate highways. However, a person may not stand on the road or street while hitchhiking. Police departments warn against hitchhiking and picking up hitchhikers because of the dangers involved.

259 **Can A Juvenile Serve As A Volunteer Fire Fighter?** Any of Virginia's cities, counties, or towns can, by ordinance, allow persons 16 years or older to fully participate in the activities of a volunteer fire company.

260 **What Can You Do if You Want To Better Your Community?** Young people can help improve their neighborhood, city, and state in many ways. Youth who are interested in volunteering their time and energy can contact the following agency to be put in touch with volunteer groups in their area.

Virginia Department of
Volunteerism
233 Governor Street
Richmond, Virginia 23219
Phone: 804/786-1431

Local hospitals, churches, community centers and United Way agencies are good sources for volunteer opportunities.



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You Have The Right, If You Know it

Evaluation Form

Please complete and return to the Virginia Department for Children, Eleventh Floor, 805 East Broad Street, Richmond, Virginia 23219.

1. **I am a:**
   - _____ student
   - _____ social worker
   - _____ administrator
   - _____ educator
   - _____ parent
   - _____ court service worker
   - _____ counselor
   - _____ other (specify) _____

2. **I found the handbook to be:**
   - _____ very informative
   - _____ somewhat informative
   - _____ informative
   - _____ not informative

3. **I liked the handbook because of:**
   - _____ question and answer format
   - _____ content areas
   - _____ availability of an index
   - _____ size
   - _____ illustrations

4. **I disliked the handbook because of:**
   - _____ lack of information on _____
   - _____ mis-information on _____
   - _____ question and answer format
   - _____ size

5. **I plan to use the handbook for:**
   - _____ textbook
   - _____ personal reference
   - _____ dissemination to youth groups
   - _____ dissemination to parent groups
   - _____ a counseling resource
   - _____ other (specify) _____
   _____

6. **Any additional comments?**